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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,594	10/09/2003	Ronald Greubel	2002A	9771

7590 04/27/2004

STRIKER, STRIKER & STENBY
103 East Neck Road
Huntington, NY 11743

EXAMINER

HANSEN, COLBY M

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 04/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/682,594	Applicant(s) GREUBEL, RONALD	
	Examiner Colby Hansen	Art Unit 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
| 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) ☐ Other: ____. |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Persson et al. (US Pat. 5,803,616) in view of Caillault et al. (US Pat. 5,642,946).

Persson et al. (US Pat. 5,803,616) discloses a rotary bearing, comprising a radially inner bearing part 2,3 and a radially outer bearing part 1 rotatable relative to one another about an axis; a lubricant passage arrangement for supplying a lubricant both to engaging surfaces of said radially inner bearing part and said radially outer bearing part and also to a further lubricating point, said lubricant passage arrangement including at least one first lubricant passage 9 having one end which opens in an inner peripheral surface of said radially outer bearing part 1 and another end which is connectable with a lubricant supply, and a ring chamber (area occupying 10) between said inner peripheral surface of said outer bearing part and said outer peripheral surface of said inner bearing part, said at least one first lubricant opening 9 in said ring chamber; a lubricant distributing element 10 formed as a separate part which is arranged in said ring chamber, said lubricant distributing element being in a lubricant supplying connection with said at least one first lubricant passage; means forming at least one first outflow path associated with said lubricant distributing element for supplying lubricant to the engaging surfaces of said bearing parts; wherein said at least one outflow path is arranged so as to be located at a location selected from the group consisting of in said lubricant distributing element, on said lubricating

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distributing element, and both; wherein said lubricant distributing element has a substantially U-shaped cross-section with two side legs 12,13 and a connecting transverse web 16; wherein said side legs and said transverse web together limit an inner space of said lubricant distributing element, said transverse web having at least one supply opening through which lubricant is supplied from said at least one first lubricant passage into said inner space of said lubricant distributing element; wherein said first outflow path is formed between an outer surface of said lubricant distributing element which extends substantially orthogonal to an axial direction and a counter surface of said ring chamber which extends also substantially orthogonal to the axial direction; further comprising at least one securing element 14 which secures said lubricant distributing element with respect to said radially outer bearing part; wherein said securing element secures said lubricant distributing element relative to said radially outer bearing part both in an axial direction and in a peripheral direction; wherein said securing element 14 is formed as a pipe which is received in said first lubricant passage and engage an outer periphery of said lubricant distributing element, wherein said lubricant distributing element is formed as a lubricant distributing ring (fig. 3); wherein said radially inner bearing part has two bearing part bodies with axial end surfaces abutting against one another (by way of spacer 8); wherein said both bearing bodies are formed identically and arranged mirror-symmetrically; wherein said radially inner bearing part is provided on said inner peripheral surface with a ring groove; wherein said ring groove extends substantially over a whole periphery of said inner peripheral surface of said radially inner bearing part (the running surfaces have such grooves as broadly recited); further comprising a plurality of roller bodies 4,5 so that the rotary bearing is formed as a roller bearing; wherein said roller bodies are arranged in two rows which are spaced from

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one another in the axial direction; wherein said rows of said roller bodies have load lines which include an acute angle with said axis, said load lines of said both roller body rows forming an O-arrangement in a section which contains said axis (fig. 1).

However, Persson et al. (US Pat. 5,803,616) does not disclose a second lubrication passage within the outer portion of the inner radial bearing, nor does it disclose the first lubrication passage having the securing tube.

Caillault et al. (US Pat. 5,642,946) discloses a second lubrication passage 7 allowing an outflow of lubrication into the inner portion of the inner radial bearing.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the second lubrication passage of Caillault et al. (US Pat. 5,642,946) within Persson et al. (US Pat. 5,803,616) so as allow for the transport of lubrication to an inner area of movement, wear, and heat accumulation, as suggested by Caillault et al. (US Pat. 5,642,946).

Furthermore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have reversed the parts of the securing means so as to have the tube integrally with the first lubrication passage, and inserted into the lubrication distributor so as modularized the lubrication distributor so damaged parts may be easily exchanged, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

FACSIMILE TRANSMISSION

Submission of your response by facsimile transmission is encouraged. Group 3600's facsimile number is **(703) 305-3597**. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase a patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as the PTO's mail room processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee which applicant is paying by check **should not be** submitting by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP 512). The following is an example of the format the certification might take:

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(Date)

Typed or printed name of person signing this certificate:

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(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the processing of your application; duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colby Hansen whose telephone number is (703) 305-1036. The examiner can normally be reached on Monday through Thursday and every other Friday from 7:30 PM to 5:00 PM (EST).

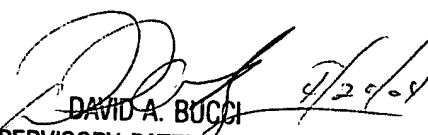
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci, can be reached on (703) 308-3668. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

Colby M. Hansen

Patent Examiner



4/19/04



DAVID A. BUCCI 4/29/04
SUPERVISORY PATENT EXAMINER
TECHNICAL CENTER 3600